

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE TARIFF FILING)
BY CHESAPEAKE UTILITIES CORPORATION)
FOR AN EXTENSION OF THE RATE SCHEDULE) PSC DOCKET NO. 15-0950
"TSFF" CALLED TOWN OF SMYRNA)
FRANCHISE FEE RIDER)
(FILED APRIL 17, 2015))

ORDER NO. 8733

AND NOW, this 5th day of May, 2015, the Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, on April 17, 2015, Chesapeake Utilities Corporation ("Chesapeake") filed with the Commission an application seeking approval to continue to charge all of its respective natural gas customers within the Town of Smyrna the franchise fee paid by it to the Town of Smyrna pursuant to an existing franchise agreement. The proposed continuing surcharge is pursuant to a rate schedule called "Town of Smyrna Franchise Fee Rider" or "TSFF Surcharge"; and

WHEREAS, the proposed TSFF Surcharge of \$0.0181 per Ccf of delivered gas is meant to mirror the volumetric franchise fee imposed upon Chesapeake by the Town of Smyrna; and

**NOW, THEREFORE, IT IS ORDERED BY THE AFFIRMATIVE
VOTE OF NO FEWER THAN THREE COMMISSIONERS:**

1. Pursuant to 26 Del. C. §306(a)(1), Chesapeake's proposed TSFF Surcharge and tariff changes to be assessed against its natural gas customers within the Town of Smyrna are hereby suspended and shall not be placed into force or effect except pursuant to law or further order of the Commission, and then only to the extent such law or further Commission order may permit or allow.

2. As outlined in the form of notice (attached as **Exhibit "A"**) interested persons are afforded the opportunity to file objections to the proposed TSFF Surcharge and tariff changes. Such objections or written comments shall be filed ***on or before Wednesday, May 20, 2015.***

3. If the Commission does not receive any meritorious objections or written comments raising significant issues, the Commission may, by later order, approve the proposed TSFF Surcharge and tariff changes without further notice or proceedings. If meritorious objections or written comments are filed, the Commission will, by later order, determine the course of any appropriate further proceedings.

4. Chesapeake shall publish the public notice attached as **Exhibit "A"** in two column format, outlined in black, in the legal classified sections of The News Journal and Delaware State News newspapers ***on or before May 12, 2015.*** Chesapeake shall also file proof of such publications with the Commission ***on or before June 2, 2015.***

5. Chesapeake is hereby advised that the cost of this proceeding will be charged to it under the provisions of 26 Del. C. §114(b)(1).

6. The Commission reserves the jurisdiction and authority to enter such other or further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary

E X H I B I T "A"

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P U B L I C N O T I C E

**TO: ALL NATURAL GAS CUSTOMERS OF CHESAPEAKE UTILITIES CORPORATION
AND, IN PARTICULAR, THOSE WITHIN THE TOWN OF SMYRNA, AND OTHER
INTERESTED PERSONS**

On April 17, 2015, Chesapeake Utilities Corporation ("Chesapeake" or the "Company") filed with the Public Service Commission (the "Commission") an application requesting permission to continue to charge its natural gas customers within the Town of Smyrna a franchise fee rider (the "TSFF" Surcharge"). The TSFF Surcharge would mirror the volumetric franchise fee that the Town of Smyrna imposes on Chesapeake under a franchise agreement adopted by the Town of Smyrna on January 5, 2015. The TSFF Surcharge is in the amount of \$0.0181 per Ccf of delivered gas and would be applied only to Chesapeake's customers within the Town of Smyrna.

On May 5, 2015, the Commission suspended the proposed TSFF Surcharge until further order of the Commission. The Commission will consider whether to grant Chesapeake's application for this surcharge at either an evidentiary hearing or, if no meritorious objections or written comments raising significant issues are received, the

Commission may, by later order, approve the proposed TSFF Surcharge and tariff changes without further notice or proceedings.

If you wish to file written comments, objections, or a petition for leave to intervene in this matter, you must file such document **on or before Wednesday, May 20, 2015**. All such written comments, objections, or petitions should be e-filed according to the Commission's Rules (26 Del. Admin. C. §1001-1.6.4). Petitions filed after the deadline of May 20, 2015, will not be considered except for good cause shown.

You are invited to review Chesapeake's application and supporting documents to determine how your interests may be affected by going to DelaFile (<http://delafile.delaware.gov>), the Commission's file management system, and by searching for Docket No. 15-0950.

If you would like to review documents at the Commission's offices, please contact Donna Nickerson at (302) 736-7500 or by sending an email addressed to donna.nickerson@state.de.us. You may also review copies of Chesapeake's application and supporting documents at the office of the Division of the Public Advocate located at either 820 North French Street, 4th Floor, Wilmington, Delaware 19801 or 29 South State Street, Dover, Delaware 19901. Please call either (302) 577-5077 or (302) 241-2555 to arrange for a time to review the documents at either of those locations.

If you wish to request copies of documents in this matter, please submit a Freedom of Information Act Request Form. The link to this form can be found on the Commission's website, <http://depssc.delaware.gov> or by visiting this web address:

<https://delafile.delaware.gov/Complaints/FOIA.aspx>. The Commission will respond to your request in accordance with the Delaware Freedom of Information Act, 29 Del. C. ch. 100.

If you have a disability and wish to participate or to review the materials in this matter, please contact the Commission to discuss any auxiliary aids or services you might need to help you. You may contact the Commission in person, by writing, by telephone (including text telephone), by Internet e-mail, or other means. If you have questions about this matter, you may call the Commission at 1-800-282-8574 (toll-free in Delaware) or (302) 736-7500 (voice and text telephone). You may also send questions regarding this matter by Internet e-mail addressed to jason.r.smith@state.de.us.